

TRH:DMB
F.#2006R01623

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

- against -

JOHN ARMSTRONG, also known as
"Peso,"
MICHAEL BROWN, also known as
"Nightcrawler,"
JUSTICE CEPHAS, also known as
"Woodrow Jackson," "Man,"
and "Reginald Murray,"
MALCOLM FEASTER, also known as
"Romie,"
STANLEY FEASTER, also known as
"Green Eyes,"
NICHOLAS HAYES,
TYQUAN MIDYETT,
SHAWN PENDER, also known as "SP,"
BRIAN SANTANO,
CHEYENNE SIMONS, also known as
"The President" and
"Shitty," and
TEON SIMONS,

Defendants.

- - - - -X

THE GRAND JURY CHARGES:

COUNT ONE
(Conspiracy to Distribute Cocaine Base)

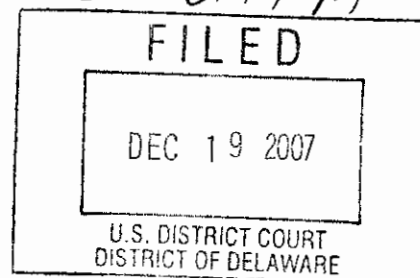
In or about and between May 2006 and November 2007,
both dates being approximate and inclusive, within the Eastern
District of New York and elsewhere, the defendants JOHN
ARMSTRONG, also known as "Peso," MICHAEL BROWN, also known as
"Nightcrawler," MALCOLM FEASTER, also known as "Romie," STANLEY

S E C O N D
R E D A C T E D
I N D I C T M E N T

Cr. No. _____
(T. 18, U.S.C., §§ 922(g),
924(a)(2), 924(c)(1)(A)(i),
2 and 3551 et seq.; T. 21,
U.S.C., §§ 841(a)(1),
841(b)(1)(A)(iii),
841(b)(1)(B)(iii),
841(b)(1)(C) and 846)

USDC of DE No.:

07-249-M



FEASTER, also known as "Green Eyes," NICHOLAS HAYES, TYQUAN MIDYETT, SHAWN PENDER, also known as "SP," BRIAN SANTANO, CHEYENNE SIMONS, also known as "The President" and "Shitty," and TEON SIMONS, together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute a controlled substance, which offense involved fifty grams or more of a substance containing cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

(Title 21, United States Code, Sections 846 and 841(b)(1)(A)(iii); Title 18, United States Code, Sections 3551 et seq.)

COUNT TWO
(Distribution of Cocaine Base)

On or about May 25, 2006, within the Eastern District of New York and elsewhere, the defendant STANLEY FEASTER, also known as "Green Eyes," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THREE

(Distribution of Cocaine Base)

On or about May 30, 2006, within the Eastern District of New York and elsewhere, the defendant STANLEY FEASTER, also known as "Green Eyes," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT FOUR

(Distribution of Cocaine Base)

On or about June 23, 2006, within the Eastern District of New York and elsewhere, the defendant STANLEY FEASTER, also known as "Green Eyes," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT FIVE

(Distribution of Cocaine Base)

On or about June 30, 2006, within the Eastern District of New York and elsewhere, the defendant STANLEY FEASTER, also known as "Green Eyes," together with others, did knowingly and

intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five grams of more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT SIX
(Distribution of Cocaine Base)

On or about November 21, 2006, within the Eastern District of New York and elsewhere, the defendants JOHN ARMSTRONG, also known as "Peso," and CHEYENNE SIMONS, also known as "The President" and "Shitty," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT SEVEN
(Distribution of Cocaine Base)

On or about December 7, 2006, within the Eastern District of New York and elsewhere, the defendant TYQUAN MIDYETT, together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance,

which offense involved a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT EIGHT
(Distribution of Cocaine Base)

On or about December 7, 2006, within the Eastern District of New York and elsewhere, the defendants MICHAEL BROWN, also known as "Nightcrawler," CHEYENNE SIMONS, also known as "The President" and "Shitty," and TEON SIMONS, together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT NINE
(Distribution of Cocaine Base)

On or about December 12, 2006, within the Eastern District of New York and elsewhere, the defendants MICHAEL BROWN, also known as "Nightcrawler," and CHEYENNE SIMONS, also known as "The President" and "Shitty," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five

grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TEN
(Distribution of Cocaine Base)

On or about December 19, 2006, within the Eastern District of New York and elsewhere, the defendant CHEYENNE SIMONS, also known as "The President" and "Shitty," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT ELEVEN
(Distribution of Cocaine Base)

On or about January 3, 2007, within the Eastern District of New York and elsewhere, the defendants MALCOLM FEASTER, also known as "Romie," STANLEY FEASTER, also known as "Green Eyes," and CHEYENNE SIMONS, also known as "The President" and "Shitty," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five grams or more

of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWELVE
(Distribution of Cocaine Base)

On or about January 4, 2007, within the Eastern District of New York and elsewhere, the defendant CHEYENNE SIMONS, also known as "The President" and "Shitty," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THIRTEEN
(Distribution of Cocaine Base)

On or about January 12, 2007, within the Eastern District of New York and elsewhere, the defendants MALCOLM FEASTER, also known as "Romie," BRIAN SANTANO, and CHEYENNE SIMONS, also known as "The President" and "Shitty," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense

involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT FOURTEEN
(Distribution of Cocaine Base)

On or about January 16, 2007, within the Eastern District of New York and elsewhere, the defendant STANLEY FEASTER, also known as "Green Eyes," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT FIFTEEN
(Distribution of Cocaine Base)

On or about January 31, 2007, within the Eastern District of New York and elsewhere, the defendant STANLEY FEASTER, also known as "Green Eyes," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved a

substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT SIXTEEN
(Distribution of Cocaine Base)

On or about February 9, 2007, within the Eastern District of New York and elsewhere, the defendant STANLEY FEASTER, also known as "Green Eyes," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT SEVENTEEN
(Distribution of Cocaine Base)

On or about February 16, 2007, within the Eastern District of New York and elsewhere, the defendants STANLEY FEASTER, also known as "Green Eyes," and NICHOLAS HAYES, together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which

offense involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT EIGHTEEN
(Distribution of Cocaine Base)

On or about February 21, 2007, within the Eastern District of New York and elsewhere, the defendant BRIAN SANTANO, together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT NINETEEN
(Distribution of Cocaine Base)

On or about February 27, 2007, within the Eastern District of New York and elsewhere, the defendants STANLEY FEASTER, also known as "Green Eyes," and BRIAN SANTANO, together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which

offense involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY
(Distribution of Cocaine Base)

On or about March 1, 2007, within the Eastern District of New York and elsewhere, the defendants MALCOLM FEASTER, also known as "Romie," STANLEY FEASTER, also known as "Green Eyes," BRIAN SANTANO, and TEON SIMONS, together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY-ONE
(Distribution of Cocaine Base)

On or about March 15, 2007, within the Eastern District of New York and elsewhere, the defendants MALCOLM FEASTER, also known as "Romie," BRIAN SANTANO, CHEYENNE SIMONS, also known as "The President" and "Shitty," and TEON SIMONS, together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense

involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY-TWO
(Distribution of Cocaine Base)

On or about March 26, 2007, within the Eastern District of New York and elsewhere, the defendant CHEYENNE SIMONS, also known as "The President" and "Shitty," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY-THREE
(Distribution of Cocaine Base)

On or about April 3, 2007, within the Eastern District of New York and elsewhere, the defendant CHEYENNE SIMONS, also known as "The President" and "Shitty," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five

grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY-FOUR
(Distribution of Cocaine Base)

On or about April 4, 2007, within the Eastern District of New York and elsewhere, the defendants MALCOLM FEASTER, also known as "Romie," BRIAN SANTANO, and CHEYENNE SIMONS, also known as "The President" and "Shitty," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY-FIVE
(Distribution of Cocaine Base)

On or about May 11, 2007, within the Eastern District of New York and elsewhere, the defendant CHEYENNE SIMONS, also known as "The President" and "Shitty," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five

grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY-SIX
(Distribution of Cocaine Base)

On or about June 7, 2007, within the Eastern District of New York and elsewhere, the defendants JUSTICE CEPHAS, also known as "Woodrow Jackson," "Man," and "Reginald Murray," and SHAWN PENDER, also known as "SP," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY-SEVEN
(Distribution of Cocaine Base)

On or about June 14, 2007, within the Eastern District of New York and elsewhere, the defendant CHEYENNE SIMONS, also known as "The President" and "Shitty," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five

grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY-EIGHT
(Distribution of Cocaine Base)

On or about June 20, 2007, within the Eastern District of New York and elsewhere, the defendant SHAWN PENDER, also known as "SP," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWENTY-NINE
(Distribution of Cocaine Base)

On or about June 20, 2007, within the Eastern District of New York and elsewhere, the defendant CHEYENNE SIMONS, also known as "The President" and "Shitty," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved a

substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THIRTY
(Distribution of Cocaine Base)

On or about July 3, 2007, within the Eastern District of New York and elsewhere, the defendant SHAWN PENDER, also known as "SP," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THIRTY-ONE
(Distribution of Cocaine Base)

On or about July 25, 2007, within the Eastern District of New York and elsewhere, the defendant CHEYENNE SIMONS, also known as "The President" and "Shitty," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five

grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THIRTY-TWO
(Distribution of Cocaine Base)

On or about July 30, 2007, within the Eastern District of New York and elsewhere, the defendant SHAWN PENDER, also known as "SP," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THIRTY-THREE
(Distribution of Cocaine Base)

On or about July 30, 2007, within the Eastern District of New York and elsewhere, the defendant CHEYENNE SIMONS, also known as "The President" and "Shitty," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five

grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THIRTY-FOUR
(Distribution of Cocaine Base)

On or about August 8, 2007, within the Eastern District of New York and elsewhere, the defendant TEON SIMONS, together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THIRTY-FIVE

[Redacted]

COUNT THIRTY-SIX

[Redacted]

COUNT THIRTY-SEVEN
(Distribution of Cocaine Base)

On or about September 25, 2007, within the Eastern District of New York and elsewhere, the defendant MALCOLM FEASTER, also known as "Romie," together with others, did knowingly and intentionally distribute and possess with intent to

distribute a controlled substance, which offense involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THIRTY-EIGHT
(Distribution of Cocaine Base)

On or about October 16, 2007, within the Eastern District of New York and elsewhere, the defendant MALCOLM FEASTER, also known as "Romie," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five grams or more of a substance containing cocaine base, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THIRTY-NINE
(Use of a Firearm)

In or about and between November 21, 2006 and August 6, 2007, both dates being approximate and inclusive, within the Eastern District of New York, the defendant CHEYENNE SIMONS, also known as "The President" and "Shitty," together with others, did knowingly and intentionally use and carry a firearm during and in relation to a drug trafficking crime, to wit: the crime charged

in Count One, and did knowingly and intentionally possess a firearm in furtherance of said drug trafficking crime.

(Title 18, United States Code, Sections 924(c) (1) (A) (i), 2 and 3551 et seq.)

COUNT FORTY
(Felon-in-Possession)

On or about June 7, 2007, within the Eastern District of New York and elsewhere, the defendant SHAWN PENDER, also known as "SP," having previously been convicted in a court of a crime punishable by a term of imprisonment exceeding one year, did knowingly and intentionally possess in and affecting commerce a firearm, to wit: a Leinad Cobray 9mm semi-automatic pistol.

(Title 18, United States Code, Sections 922(g) (1), 924(a) (2), 2 and 3551 et seq.)

A TRUE BILL

FOREPERSON

BENTON J. CAMPBELL
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK